

FILED

JUL 21 2008

CLARK, U.S. ATTORNEY'S OFFICE
SOUTHERN DISTRICT OF CALIFORNIA
PW *[Signature]* DEPUTY*H**AUSA*

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8665

UNITED STATES OF AMERICA) Magistrate Case No.:

Plaintiff,) COMPLAINT FOR VIOLATION OF

v.) 21 U.S.C. § 952 and 960
Peter Antonio MORENO,) Importation of a Controlled

Defendant.) Substance (Felony)

The undersigned complainant being duly sworn states:

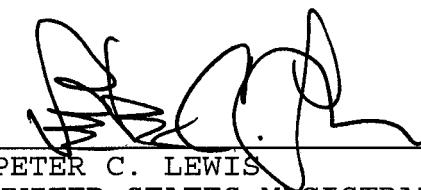
That on or about July 19, 2008, within the Southern District of California, defendant Peter Antonio MORENO did knowingly and intentionally import approximately 27.90 kilograms (61.38 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Hugo A. Leon

Special Agent
U. S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 21ST
DAY OF JULY 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1
2 UNITED STATES OF AMERICA
3

4 v.
5

6 Peter Antonio MORENO
7

8
9 **PROBABLE CAUSE STATEMENT**
10

11 I, Special Agent Lance Swanson, declare under penalty of perjury, the following
12 is true and correct:
13

14 On July 19, 2008 at approximately 0200 hours, Peter Antonio MORENO entered
15 the United States at the Calexico, California, West Port of Entry. MORENO was the
16 sole occupant driver and owner of a 1996 Mitsubishi Eclipse.
17

18 During the primary inspection Customs and Border Protection Officer (CBPO) E.
19 Stewart received a negative Customs Declaration from MORENO. MORENO told the
20 officer that he was the owner of the vehicle, and had owned it for several months.
21

22 While inspecting the vehicle, CBPO E. Stewart noticed the bolt heads on the gas
23 tank of the vehicle were scratch up appeared to have been removed recently along with
24 the gas tank hose clamps. CBPO E. Stewart also noticed the gas tank felt solid, and
25 the vehicle only had one key. CBPO E. Stewart then escorted MORENO and the
26 vehicle to secondary inspection.
27

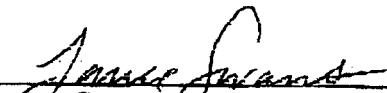
28 In the vehicle secondary lot, CBP K-9 Officer R. Waters was asked to screen the
29 vehicle with his Narcotics Detection Dog (NDD). CBP K-9 Officer K. R. Waters received
an alert from his NDD on the dashboard area of the vehicle.
30

31 Upon further inspection, CBPO E. Stewart discovered thirty-two (32) packages
32 concealed in the gas tank (16) and dashboard area (16) of the vehicle. One of the
33

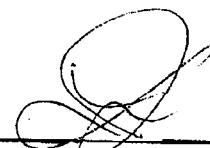
1 packages was probed and a sample of a green leafy substance was obtained, which
2 field tested positive for marijuana. The 32 packages had a combined net weight of
3 approximately 27.90 kilograms (61.38 pounds).

4 MORENO was placed under arrest and advised of his Constitutional Rights,
5 which he acknowledged and waived, agreeing to answer questions. MORENO stated to
6 Special Agent Swanson he was going to be paid \$1500.00 to smuggle marijuana into
7 the United States.

8
9 Executed on 07/19/08 @ 0906 hrs

10
11
12 
13 Lance Swanson
14 Special Agent

15 One the basis of the facts presented in the probable cause statement consisting
16 of 2 pages, I find probable cause to believe that the defendant named in this probable
17 cause statement committed the offense on July 19, 2008 in violation of Title 21, United
18 States Code, Sections 952 & 960.

19
20 
21
22
23 United States Magistrate Judge

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27
28
29 July 19, 2008, 155PM
Date/Time